

AN ACT

relating to the contracts of certain regional transportation authorities that are required to be competitively bid.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 452.107(c), Transportation Code, is amended to read as follows:

(c) The executive committee may authorize the negotiation of a contract without competitive sealed bids or proposals if:

(1) the aggregate amount involved in the contract is \$50,000 [~~\$25,000~~] or less;

(2) the contract is for construction for which not more than one bid or proposal is received;

(3) the contract is for services or property for which there is only one source or for which it is otherwise impracticable to obtain competition;

(4) the contract is to respond to an emergency for which the public exigency does not permit the delay incident to the competitive process;

(5) the contract is for personal or professional services or services for which competitive bidding is precluded by law; or

(6) the contract, without regard to form and which may include bonds, notes, loan agreements, or other obligations, is for the purpose of borrowing money or is a part of a transaction

1 relating to the borrowing of money, including:

2 (A) a credit support agreement, such as a line or  
3 letter of credit or other debt guaranty;


4 (B) a bond, note, debt sale or purchase, trustee,  
5 paying agent, remarketing agent, indexing agent, or similar  
6 agreement;

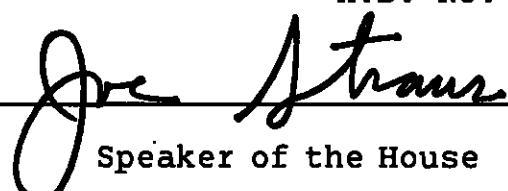
7 (C) an agreement with a securities dealer or  
8 investment adviser, broker, or underwriter; and

9 (D) any other contract or agreement considered by  
10 the executive committee to be appropriate or necessary in support  
11 of the authority's financing activities.

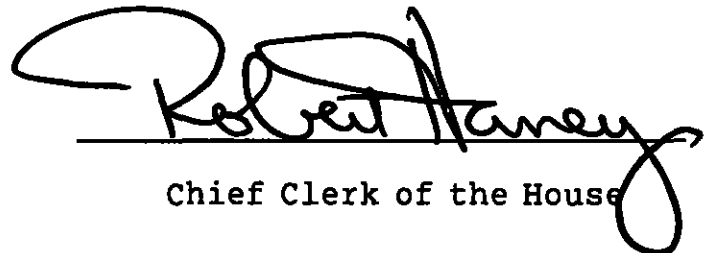
12 SECTION 2. The change in law made by this Act applies only  
13 to a contract for which a regional transportation authority first  
14 advertises or otherwise solicits bids or proposals on or after the  
15 effective date of this Act.

16 SECTION 3. This Act takes effect September 1, 2011.

  
President of the Senate

H.B. No. 2223  
  
Speaker of the House

I certify that H.B. No. 2223 was passed by the House on April 26, 2011, by the following vote: Yeas 148, Nays 0, 2 present, not voting.

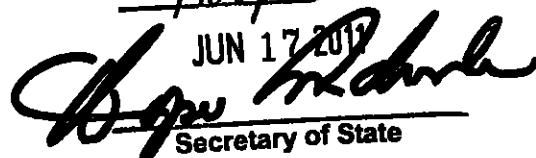
  
Chief Clerk of the House

I certify that H.B. No. 2223 was passed by the Senate on May 24, 2011, by the following vote: Yeas 30, Nays 0, 1 present, not voting.

  
Secretary of the Senate

APPROVED: 17 JUN '11  
Date

  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
4:00 pm O'CLOCK  
JUN 17 2011  
  
Secretary of State